

§ 75.337

30 CFR Ch. I (7–1–07 Edition)

(v) The application shall include a Seal Design Table that discusses characteristics related to mine specific seal construction.

(3) MSHA will notify the applicant if additional information or testing is required. The applicant must provide this information, arrange any additional or repeat tests, and notify MSHA of the location, date, and time of the test(s).

(4) MSHA will notify the applicant, in writing, whether the design is approved or denied. If the design is not approved, MSHA will specify, in writing, the deficiencies of the application, or necessary revisions.

(5) Once the seal design is approved, the approval holder must promptly notify MSHA, in writing, of all deficiencies of which they become aware.

(b) The mine operator shall use an approved seal design provided its installation is approved in the ventilation plan. The mine operator shall—

(1) Retain the seal design approval information for as long as the seal is needed to serve the purpose for which it was built.

(2) Designate a professional engineer to conduct or have oversight of seal installation and certify that the provisions in the approved seal design specified in paragraph (a) of this section have been addressed. A copy of the certification shall be submitted to the District Manager with the information provided in § 75.336(b)(3) and a copy of the certification shall be retained for as long as the seal is needed to serve the purpose for which it was built.

(3) Provide information for approval in the ventilation plan—

(i) The MSHA Technical Support Approval Number;

(ii) The mine map of the area to be sealed and proposed seal locations. This portion of the mine map shall be certified by a professional engineer;

(iii) Specific mine site information, including—

(A) Type of seal;

(B) Safety precautions taken prior to seal achieving full design strength;

(C) Methods to address site specific conditions that may affect the strength and applicability of the seal;

(D) The construction techniques;

(E) Site preparation;

(F) Sequence of seal installations;

(G) Projected date of completion of each set of seals;

(H) Supplemental roof support inby and outby each seal;

(I) Water flow estimation and dimensions of the water drainage system through the seals;

(J) Methods to ventilate the outby face of seals once completed;

(K) Methods and materials used to maintain each type of seal;

(L) Methods to address shafts and boreholes in the sealed area; and

(M) Additional information required by the District Manager.

[72 FR 28815, May 22, 2007]

§ 75.337 Construction and repair of seals.

(a) Prior to sealing, the mine operator shall—

(1) Remove insulated cables from the area to be sealed when constructing seals; and

(2) Remove metallic objects through or across seals, except water pipes, gas sampling pipes, and form ties approved in the seal design.

(b) A certified person designated by the mine operator shall directly supervise seal construction and repair and—

(1) Examine each seal site immediately prior to construction or repair to ensure that the site is in accordance with the approved ventilation plan;

(2) Examine each seal under construction or repair during each shift to ensure that the seal is being constructed or repaired in accordance with the approved ventilation plan;

(3) Examine each seal upon completion of construction or repair to ensure that construction or repair is in accordance with the approved ventilation plan;

(4) Certify by initials, date, and time that the examinations were made; and

(5) Make a record of the examination at the completion of any shift during which an examination was conducted. The record shall include each deficiency and the corrective action taken. The record shall be countersigned by the mine foreman or equivalent mine official by the end of the mine foreman's or equivalent mine official's next regularly scheduled working shift. The record shall be kept at the mine for one year.

(c) Upon completion of construction of each seal, a senior mine management official, such as a mine manager or superintendent, shall certify that the construction, installation, and materials used were in accordance with the approved ventilation plan. The mine operator shall retain the certification for as long as the seal is needed to serve the purpose for which it was built.

(d) The mine operator shall—

(1) Notify the local MSHA field office between two and fourteen days prior to commencement of seal construction;

(2) Notify the District Manager, in writing, within five days of completion of a set of seals; and

(3) Submit a copy of quality control results to the District Manager for seal material properties specified by § 75.336.

(e) Miners constructing or repairing seals, certified persons under para-

graph (b) of this section, and senior mine management officials under paragraph (c) of this section shall be trained prior to constructing or repairing a seal. The training shall address materials and procedures in the approved seal design and ventilation plan. The mine operator must certify the date of training provided each miner, certified person, and senior mine management official and retain each certification for one year.

[72 FR 28816, May 22, 2007]

§ 75.338 Seals records.

(a) The table entitled “Seal Record-keeping Requirements” lists the records the operator must maintain pursuant to §§ 75.335, 75.336, and 75.337, and the duration for which particular records need to be retained.

TABLE TO § 75.338(a)—SEAL RECORDKEEPING REQUIREMENTS

Record	Section reference	Retention time
(1) Protocol to monitor methane and oxygen and maintain an inert atmosphere..	75.335(b)	Same as ventilation plan requirements.
(2) Training of certified persons	75.335(b)(2)	1 year.
(3) Gas sampling records	75.335(b)(6)	1 year.
(4) Approved seal design	75.336(b)(1)	As long as the seal is needed to serve the purpose for which it is built.
(5) Certification of provisions of approved seal design is addressed.	75.336(b)(2)	As long as the seal is needed to serve the purpose for which it is built.
(6) Record of examinations	75.337(b)(5)	1 year.
(7) Seal construction certification	75.337(c)	As long as the seal is needed to serve the purpose for which it is built.
(8) Certification of training	75.337(e)	1 year.

(b) Records required by §§ 75.335, 75.336, and 75.337 shall be retained at a surface location at the mine in a secure book that is not susceptible to alteration. The records may be retained electronically in a computer system that is secure and not susceptible to alterations, if the mine operator can immediately access the record from the mine site.

(c) Upon request from an authorized representative of the Secretary of Labor, the Secretary of Health and Human Services, or from the authorized representative of miners, mine operators must promptly provide access to any record listed in the table in this section.

(d) Whenever an operator ceases to do business, that operator must transfer

all records required to be maintained by this part, or a copy thereof, to any successor operator who must maintain them for the required period.

[72 FR 28816, May 22, 2007]

§ 75.340 Underground electrical installations.

(a) Underground transformer stations, battery charging stations, substations, rectifiers, and water pumps shall be housed in noncombustible structures or areas or be equipped with a fire suppression system meeting the requirements of § 75.1107–3 through § 75.1107–16.

(1) When a noncombustible structure or area is used, these installations shall be—